

Mayors Fax Advisory



February 3, 2005

Re: Cross-Acceptance

Municipal Clerk: Please make copies available to your Governing Body and Members of your Land Use Boards.

Dear Mayor:

We are writing to make you aware of the municipalities' role in the State Planning Commission's (SPC) Cross-acceptance process for updating the State Plan.

On April 28, 2004, the SPC began the cross-acceptance process by approving the Preliminary State Plan and Preliminary State Plan Policy Map and sending them to each of the municipal and county planning boards. Since that time, the county planning boards, as negotiating entities for municipalities, have been working with their respective municipalities to prepare the final Cross-acceptance report by seeking public comment, recommendations and objections. The Cross-acceptance report will identify consistencies and inconsistencies between the county and local policies, plans and regulations and the Preliminary Plan and State Plan Policy Map.

The Office of Smart Growth (OSG) is beginning to receive those final Reports from the Counties. The Reports will be used as the basis of discussion during the public negotiation sessions between the County Planning Boards and the SPC. The meetings will be scheduled to take place from March through May 2005.

Under the State Planning Rules (N.J.A.C. 5:85-3.6), a municipality may file a separate report with the SPC if it is not satisfied with the County's final Cross-acceptance report **within 45 days of the date OSG receives the county's report**. A municipality can file a separate report only after holding a public meeting or hearing with notice given pursuant to N.J.A.C. 5:85-1.7(d). All municipal objections must be filed in a form consistent with the Cross-Acceptance Manual. Failure to object within the 45 days allows the SPC to presume that municipalities concur and agree with the County's final Cross-Acceptance Report.

Municipalities should receive County Cross-Acceptance Reports directly from the County. The County Report and the SPC Cross-Acceptance Manual will be posted on the OSG website at <http://www.state.nj.us/dca/osg/plan/crossacceptance.shtml>. If you need any additional information, please contact the Office of Smart Growth at (609) 292-7156.

Sincerely,

Handwritten signature of Susan Bass Levin.

Susan Bass Levin
Commissioner, Department
of Community Affairs

Sincerely,

Handwritten signature of William G. Dressel, Jr.

William G. Dressel, Jr.
Executive Director
New Jersey League of Municipalities